

SENATE JOINT RESOLUTION 141

By Tracy

A RESOLUTION to memorialize to the Congress of the United States to propose an amendment to the United States Constitution relative to restricting judicial activism among federal judges.

WHEREAS, under Article V of the Constitution of the United States, amendments to the Constitution may be proposed by the Congress whenever two-thirds (2/3) of both houses deem it necessary; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that this General Assembly memorializes the Congress of the United States to propose the following language as an amendment to the Constitution of the United States and to submit such amendment to the several states for proper ratification:

"Article of Amendment ____.

In deciding cases under the Constitution and Laws of the United States, the Supreme Court of the United States and all other federal courts exercising authority under Article III of the United States Constitution shall strictly construe the enacted text of any constitutional provision and any statute or other law in interpreting or applying the law of the United States. The text of this Constitution shall be interpreted according to its meaning at the time of its enactment, which meaning shall remain the same until changed pursuant to Article V.

This article shall apply to judgments, orders, and opinions of Federal courts made on or after one year after the date of ratification of this article of amendment ____."

BE IT FURTHER RESOLVED, that the members of the Tennessee Congressional delegation are urged to introduce an appropriate resolution in the Congress of the United States to effectuate the request of this general assembly and to work with their congressional colleagues from the several states to ensure the necessary majority to send the amendment to the states for ratification.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Vice President of the United States and President of the U.S. Senate, Washington, D.C.; the Speaker of the House of Representatives, Washington, D.C.; and to each member of the United States Senate and House of Representatives from Tennessee.